

IN RE: PETITION FOR ADMIN. VARIANCE * BEFORE THE
S/S Downey Dale Drive, 25' W of * ZONING COMMISSIONER
the c/l of Valley Hill Drive * OF BALTIMORE COUNTY
(8419 Downey Dale Drive) * Case No. 98-455-A
2nd Election District *
2nd Councilmanic District *
Harshendu Thakore *
Petitioner *

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner for consideration of a Petition for Administrative Variance filed by the owner of the subject property, Harshendu Thakore. The Petitioner seeks relief from Sections 1B02.3.B, 211.4, and 301.1 (1955) of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit an open projection (deck) setback of 15 feet in lieu of the required 22.5 feet, and from Section 400.1 of the B.C.Z.R. to permit an existing shed to remain in the side yard in lieu of the required rear yard. The subject property and relief sought are more particularly described on the site plan submitted which was accepted and marked into evidence as Petitioner's Exhibit 1.

The Petitioners have filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. The subject property having been posted and there being no requests for a public hearing, a decision shall be rendered based upon the documentation contained within the case file. Based upon the information available, there is no evidence in the file to indicate that the requested variances would adversely affect the health, safety or general welfare of the surrounding community and should therefore be granted. In the opinion of the Zoning Commissioner, the information, pictures, and affidavits submitted provide sufficient facts that comply with the requirements of Section 307.1 of the B.C.Z.R.

ORDER RECEIVED FOR FILING

Date

By

Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the B.C.Z.R. having been met, and for the reasons set forth above, the relief requested should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 19th day of June, 1998 that the Petition for Administrative Variance seeking relief from Sections 1B02.3.B, 211.4, and 301.1 (1955) of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit an open projection (deck) setback of 15 feet in lieu of the required 22.5 feet, and from Section 400.1 of the B.C.Z.R. to permit an existing shed to remain in the side yard in lieu of the required rear yard, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject, however, to the following restrictions:

- 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until the 30-day appeal period from the date of this Order has expired. If an appeal is filed and this Order is reversed, the relief granted herein shall be rescinded.



LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjs

ORDER RECEIVED FOR FILING
Date 6/19/98
By Rep



Baltimore County
Zoning Commissioner
Office of Planning

Suite 405, County Courts Bldg.
401 Bosley Avenue
Towson, Maryland 21204
410-887-4386

June 19, 1998

Mr. Harshendu Thakore
8419 Downey Dale Drive
Randallstown, Maryland 21133

RE: PETITION FOR ADMINISTRATIVE VARIANCE
S/S Downey Dale Drive, 25' W of the c/l of Valley Hill Drive
(8419 Downey Dale Drive)
2nd Election District - 2nd Councilmanic District
Harshendu Thakore - Petitioner
Case No. 98-455-A

Dear Mr. Thakore:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Administrative Variance has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Permits and Development Management Office at 887-3391.

Very truly yours,

A handwritten signature in black ink, appearing to read "Lawrence E. Schmidt".

LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjs

cc: People's Counsel

✓ File





Petition for Administrative Variance to the Zoning Commissioner of Baltimore County

for the property located at 8419 DWINEY DALE DRIVE-RANDALLSTOWN

which is presently zoned RE-100

This Petition shall be filed with the Dept. of Permits & Development Management

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 1 B02-3.0 and 211.4 and 301.1C(1955 & 9) to allow an open projection a set back of 15'-0" in lieu of req. rear 25' and sector 400 to allow an existing shed to remain in the side yard in lieu of the required rear yard

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty)

See Reverse

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County

Contract Purchaser/Lessee

(Type or Print Name)

Signature

Address

City

State

Zipcode

Attorney for Petitioner

(Type or Print Name)

Signature

Address

Phone No

City

State

Zipcode

I/We do solemnly declare and affirm under the penalties of perjury that I/we are the legal owner(s) of the property which is the subject of this Petition

Legal Owner(s)

HARSHENDU THAKORE

(Type or Print Name)

HP/Laker

Signature

(Type or Print Name)

Signature

8419 DWINEY DALE DR 410-655-9510 TH
Address Phone No

RANDALLSTOWN MD 21133

City State Zipcode
Name, Address and phone number of representative to be contacted

Name

Address

Phone No

A Public Hearing having been requested and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County this ___ day of _____, 19___ that the subject matter of this petition be set for a public hearing, advertised, as required by the Zoning Regulations of Baltimore County, in two newspapers of general circulation throughout Baltimore County, and that the property be reposted

Zoning Commissioner of Baltimore County

REVIEWED BY: CAM

DATE

22 May 98

ESTIMATED POSTING DATE:

31 May 98



Printed on Recycled Paper

98-455-A

ITEM #:

455

ORDER RECEIVED FOR FILING

Date

By

Affidavit in support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows:

That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) does/do presently reside at 8419 DIWNEY DALE DRIVE
address
RANDALLSTOWN MD 21133
City State Zip Code

That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address: (indicate hardship or practical difficulty)

1. Existing house has all 90° corner. while cutting corner of Deck will not match 90° corner. & will effect Architecturally un even
2. There is existing tree 24" dbh. @ 15' from boundary. & it is difficult to maintain Deck corner & tree area for landscaping.
3. Existing shed inside yard, when I bought the house and backyard is not sufficient to mow & it is a hardship to mow.

That Affiant(s) acknowledge(s) that if a protest is filed, Affiant(s) will be required to pay a reposting and advertising fee and may be required to provide additional information.

HP/Thakore
(signature)
HARSHENDU THAKORE
(type or print name)



(signature)

(type or print name)

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 29 day of MAY, 1998, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

HARSHENDU THAKORE

the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s), and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her/their knowledge and belief.

AS WITNESS my hand and Notarial Seal.

5-29-98
date

[Signature]
NOTARY PUBLIC

My Commission Expires: 8-1-2000

A-224-89

Affidavit in support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows:

That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) does/do presently reside at 8419 DOWNEY DALE DRIVE
address

RANDALLSTOWN MD 21133
City State Zip Code

That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address: (indicate hardship or practical difficulty)

1. Existing house has all 90° corner, while cutting corner of the back will not match 90° corner. - will effect Architecturally uneven
2. There is existing tree 24" @ 15' from Boundary. It is difficult to maintain landscaping between back corner & tree area
2. Existing shed on side yard is there when I bought the house, and its back yard is not sufficient to move that & it is hardship to move

That Affiant(s) acknowledge(s) that if a protest is filed, Affiant(s) will be required to pay a reposting and advertising fee and may be required to provide additional information.

HP/Thakore
(signature)

HARSHENDU THAKORE
(type or print name)



(signature)

(type or print name)

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 23 day of MAY, 1998, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

HARSHENDU THAKORE

the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s), and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her/their knowledge and belief.

AS WITNESS my hand and Notarial Seal.

5-23-98
date

NOTARY PUBLIC

My Commission Expires:

Sept. 2000

1-224-80



Petition for Administrative Variance to the Zoning Commissioner of Baltimore County

for the property located at 8419 DOWNEY DALE DR RANDALLSTOWN

which is presently zoned RESIDENTIAL

This Petition shall be filed with the Dept. of Permits & Development Management

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 11B02.3B and 211.4 and 301.1C(1955 Reg)

to allow an open projection a set back of 15'0" in lieu of Reg. 22'-0" and
Sector 4001 to allow an existing shed to remain in side yard in lieu
of the required rear yard
of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty)

See Reverse

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County

Contract Purchaser/Lessee

(Type or Print Name)

Signature

Address

City

State

Zipcode

Attorney for Petitioner

(Type or Print Name)

Signature

Address

Phone No

City

State

Zipcode

I/We do solemnly declare and affirm, under the penalties of perjury that I/we are the legal owner(s) of the property which is the subject of this Petition

Legal Owner(s)

HARSHENDU THAKORE

(Type or Print Name)

Signature

(Type or Print Name)

Signature

8419 DOWNEY DALE DR

Address

410-655-9510-H

410-549-8723-W

Phone No

RANDALLSTOWN

City

MD

State

21133

Zipcode

Name, Address and phone number of representative to be contacted

Name

Address

Phone No

A Public Hearing having been requested and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County this ____ day of _____ 19____ that the subject matter of this petition be set for a public hearing, advertised, as required by the Zoning Regulations of Baltimore County, in two newspapers of general circulation throughout Baltimore County and that the property be reposted

Zoning Commissioner of Baltimore County

REVIEWED BY: _____ DATE: _____

ESTIMATED POSTING DATE: _____



98-455-A

ITEM #: 455

8419 Downey Dale Drive

Beginning at a point on the South
side of Downey Dale Drive which
is 50' wide 25' west from the center line
of Valley Hill Drive which is 50' wide
Also known as Lot 13 on the
Plat of Courtleigh. Recorded in PB
24 folio 68. Containing 10,272 $\frac{1}{2}$ and
located in the 2 elect $\frac{1}{2}$ district 2
councilmanic district

48-455-A

455

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. 053754

DATE 22 May 98 ACCOUNT 8-001-6150
455 AMOUNT \$ 50.00

RECEIVED FROM: Thakore

FOR: 8419 Downey Drive
Admin VARIANCE

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

PAID RECEIPT
PROCESS ACTUAL THE
5/22/1998 5/22/1998 09:42:57
MS01 CASHIER CLIM OML ORGAMER J
5 HINCH LAMING CASH RECEIPT
Receipt # 051007
CR NO. 053752
50.00 CHECK
Baltimore County, Maryland

CASHIER'S VALIDATION

08-455-A

CERTIFICATE OF POSTING

RE: Case No.: 98-455-A

Petitioner/Developer: Mr. Thakore

Date of Hearing/Closing: 6/15/98

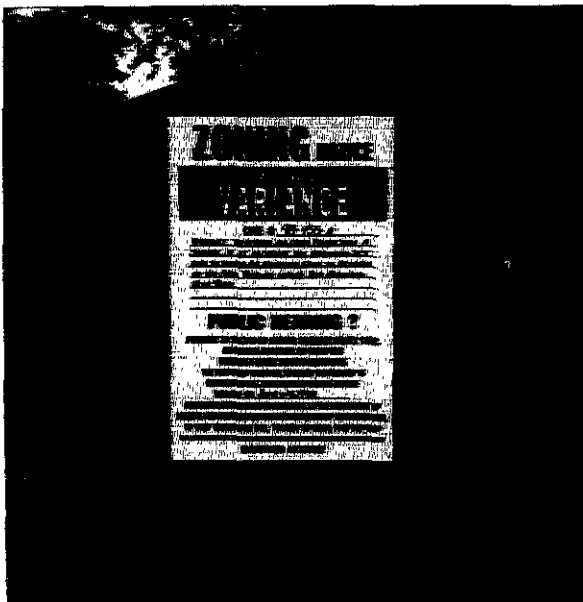
Baltimore County Department of
Permits and Development Management
County Office Building, Room 111
111 West Chesapeake Avenue
Towson, MD 21204

Attention: Ms. Gwendolyn Stephens

Ladies and Gentlemen:

This letter is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at 8419 Downeydale Dr.
Randallstown, MD 21133

The sign(s) were posted on May 27, 1998
(Month, Day, Year)



Sincerely,

Stacy Gardner 5/27/98
(Signature of Sign Poster and Date)

Stacy Gardner
(Printed Name)

SHANNON-BAUM SIGNS INC.
105 COMPETITIVE GOALS DR.
ELDERSBURG, MD 21784

(Telephone Number)

**DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT
ZONING REVIEW**

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The Baltimore County Zoning Regulations (BCZR) require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of the petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least fifteen (15) days before the hearing.

Zoning Review will ensure that the legal requirements for advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements. The newspaper will bill the person listed below for the advertising. This advertising is due upon receipt and should be remitted directly to the newspaper.

OPINIONS MAY NOT BE ISSUED UNTIL ALL ADVERTISING COSTS ARE PAID.

For Newspaper Advertising:

Item Number or Case Number: 455

Petitioner: THAKORE

Address or Location: 8419 Downey Dale Dr

PLEASE FORWARD ADVERTISING BILL TO:

Name: HARSHENDU THAKORE

Address: 8419 DOWNEY DALE DR

RANDALLS TOWN MD. 21133

Telephone Number: 410-655-9510 (Home) 410-549-8723 (WORK)

Revised 2/20/98 - SCJ

48-455-A

455

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 98- 455 -A

Address 8419 Downey Dale Drive

Contact Person: Kate Milton
Planner, Please Print Your Name

Phone Number: 410-887-3391

Filing Date: 22 May 98 Posting Date: 31 May 98 Closing Date: 15 June 98

Any contact made with this office regarding the status of the administrative variance should be through the contact person (planner) using the case number.

- POSTING/COST:** The petitioner must use one of the sign posters on the approved list (on the reverse side of this form) and the petitioner is responsible for all printing/posting costs. Any reposting must be done only by one of the sign posters on the approved list and the petitioner is again responsible for all associated costs. The zoning notice sign must be visible on the property on or before the posting date noted above. It should remain there through the closing date.
- DEADLINE:** The closing date is the deadline for an occupant or owner within 1,000 feet to file a formal request for a public hearing. Please understand that even if there is no formal request for a public hearing, the process is not complete on the closing date.
- ORDER:** After the closing date, the file will be reviewed by the zoning or deputy zoning commissioner. He may: (a) grant the requested relief; (b) deny the requested relief; or (c) order that the matter be set in for a public hearing. You will receive written notification (typically within 7 to 10 days of the closing date) as to whether the petition has been granted, denied, or will go to public hearing. The order will be mailed to you by First Class mail.
- POSSIBLE PUBLIC HEARING AND REPOSTING:** In cases that must go to a public hearing (whether due to a neighbor's formal request or by order of the zoning or deputy zoning commissioner), notification will be forwarded to you. The sign on the property must be changed giving notice of the hearing date, time and location. As when the sign was originally posted, certification of this change and a photograph of the altered sign must be forwarded to this office.

(Detach Along Dotted Line)

Mr. Thakore

Petitioner: This Part of the Form is for the Sign Poster Only

USE THE ADMINISTRATIVE VARIANCE SIGN FORMAT

Case Number 98- 455 -A Address 8419 Downey Dale Drive

Posting Date: 31 May 98 Closing Date: 15 June 98

Wording for Sign: VARIANCE A To Permit AN open projection A setback of 15'
in lieu of the required 22.5' and to allow an
existing shed to remain in the side yard in
lieu of the required rear yard.



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

June 15, 1998

Mr. Harshendu Thakore
8419 Downey Dale Drive
Randallstown, MD 21133

RE: Item No.: 455
Case No.: 98-455-A
Petitioner: Harshendu Thakore
Location: 8419 Downey Dale
Drive

Dear Mr. Thakore:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on May 31, 1998.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Gwendolyn Stephens in the zoning office (410-887-3391).

Sincerely,

W. Carl Richards, Jr.
Zoning Supervisor

WCR:ggs
Attachment(s)



BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits
and Development Management

DATE: June 8, 1998

FROM: Arnold F. "Pat" Keller, III, Director
Office of Planning

SUBJECT: Zoning Advisory Petitions

The Planning Office has no comments on the following petitions (s):

Item Nos. 443, 444, 445, 450, 452, 455, 456, 462, 464, and 465

If there should be any questions or if this office can provide additional information,
please contact Jeffrey Long in the Office of Planning at (401) 887-3495.

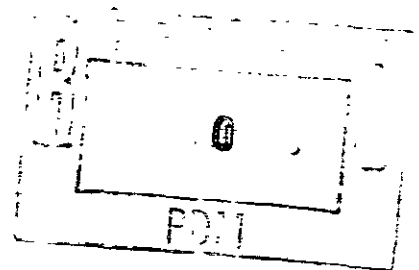
Prepared by:

Jeffrey W. Long

Division Chief:

Cary L. Kerns

AFK/JL





**Maryland Department of Transportation
State Highway Administration**

Parris N. Glendening
Governor

David L. Winstead
Secretary

Parker F. Williams
Administrator

Ms. Gwen Stephens
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County 6-6-97
Item No. 455 CAM

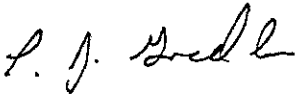
Dear Ms. Stephens:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

Please contact Larry Gredlein at 410-545-5606 or by E-mail at (lgredlein@sha.state.md.us).

Thank you for the opportunity to review this item.

Very truly yours,


for Ronald Burns, Chief
Engineering Access Permits
Division

LG

My telephone number is _____

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits & Development
Management

Date: June 23, 1998

FROM: *pub* Robert W. Bowling, Chief
Development Plans Review Division

SUBJECT: Zoning Advisory Committee Meeting
for June 15, 1998
Item Nos. 442, 443, 444, 445, 450,
451, 452, 453, 454, 455, 457, 458,
459, 462, 463, 464, 465

Use Permit for Farmer's Roadside Stand
John D. Barone & Beverlae Barone
E/S York Road, 260' S of Sparks Road
(14943 York Road)

16844 Wesley Chapel Road
Case No. 98-381-SPHA

1820 Clearwood Road
Case No. 98-438-SPHA

Hereford Plaza
Case No. 97-308-SPHA

The Development Plans Review Division has reviewed the subject
zoning items, and we have no comments.

RWB:HJO:jrb

cc: File

Plat to accompany Petition for Zoning ☒ Variance ☐ Special Hearing

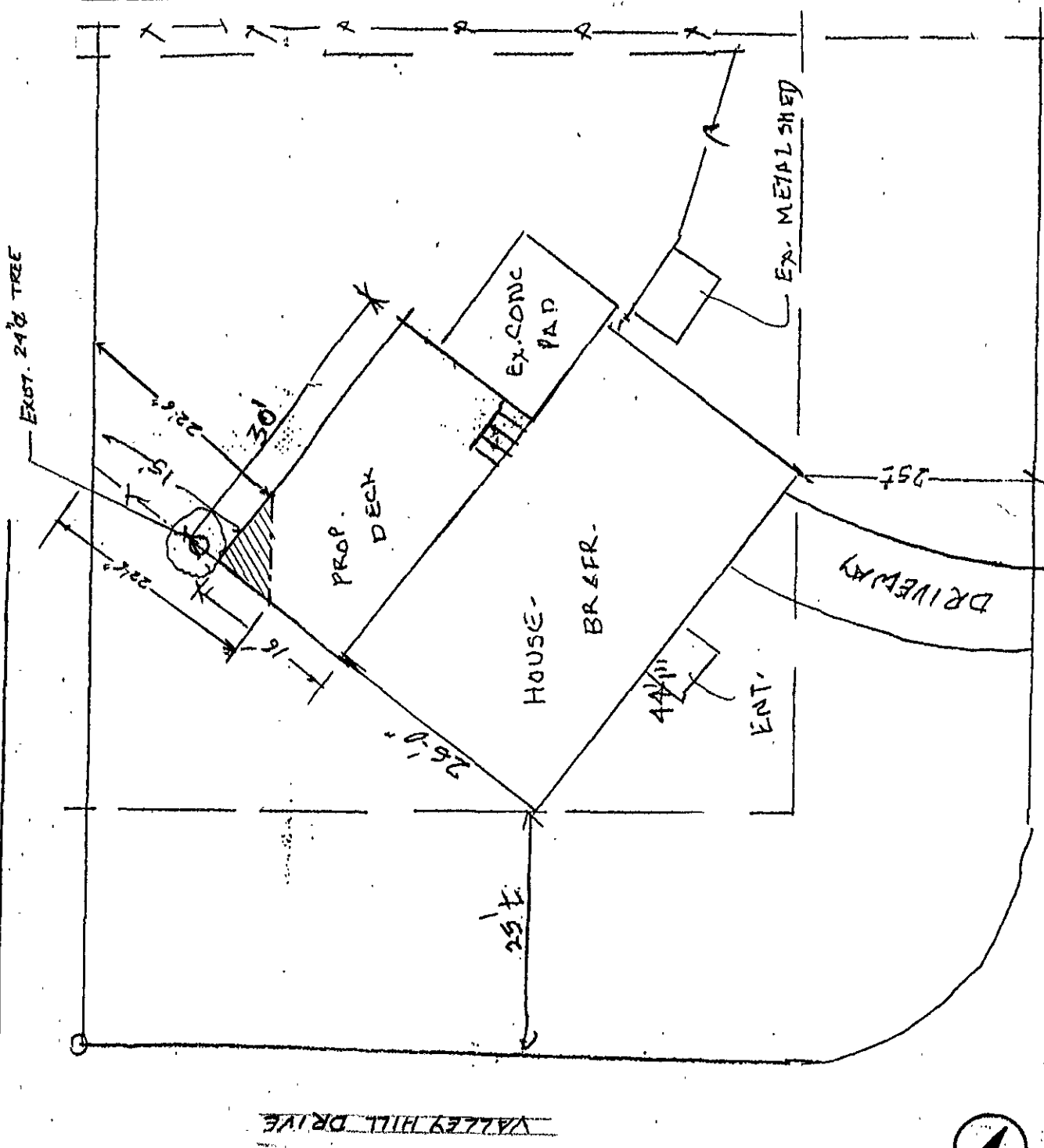
PROPERTY ADDRESS: 8419 DOWNEY DALE DRIVE, RANDALLSTON

see pages 5 & 6 of the CHECKLIST for additional required information

Subdivision name: COURTELEIGH

plat book# 4, folio# 86, lot# 13, section#

OWNER: HARSHENDU THAKORE



North

date: 5-4-98

prepared by: H.P. THAKORE

Scale of Drawing: 1" = 15 FEET

DOWNEY DALE DRIVE



Vicinity Map
North
Scale: 1"=1000'

LOCATION INFORMATION

Election District: 02

Councilmanic District: 02

1"=200' scale map#: NW 7H

Zoning: DR. 5.5

Lot size: 10272

acreage square feet

public private

SEWER: ☒ ☐

WATER: ☒ ☐

Chesapeake Bay Critical Area: ☐ ☒

Prior Zoning Hearings:

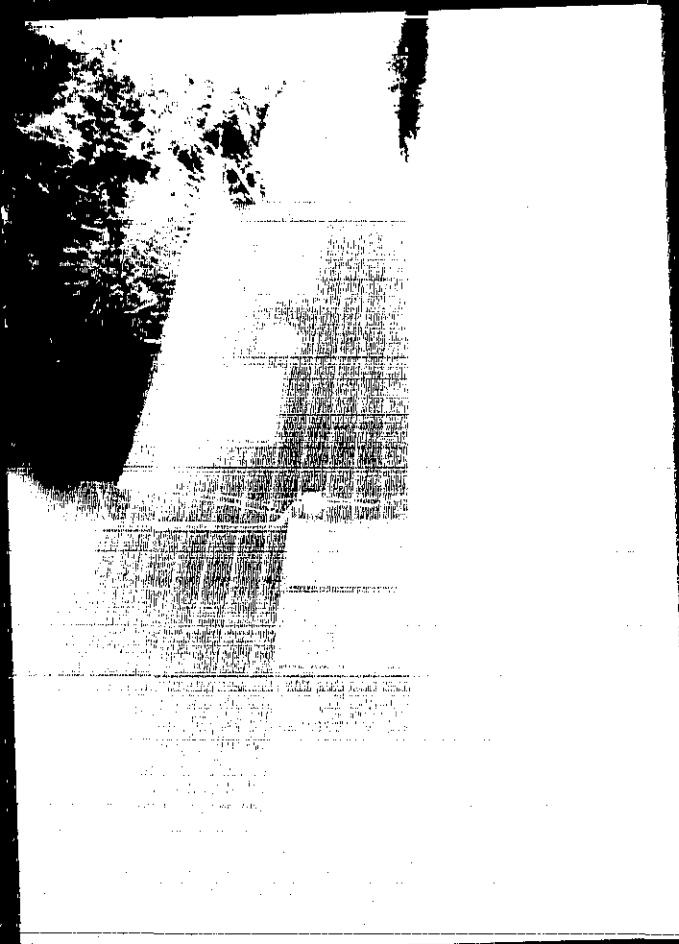
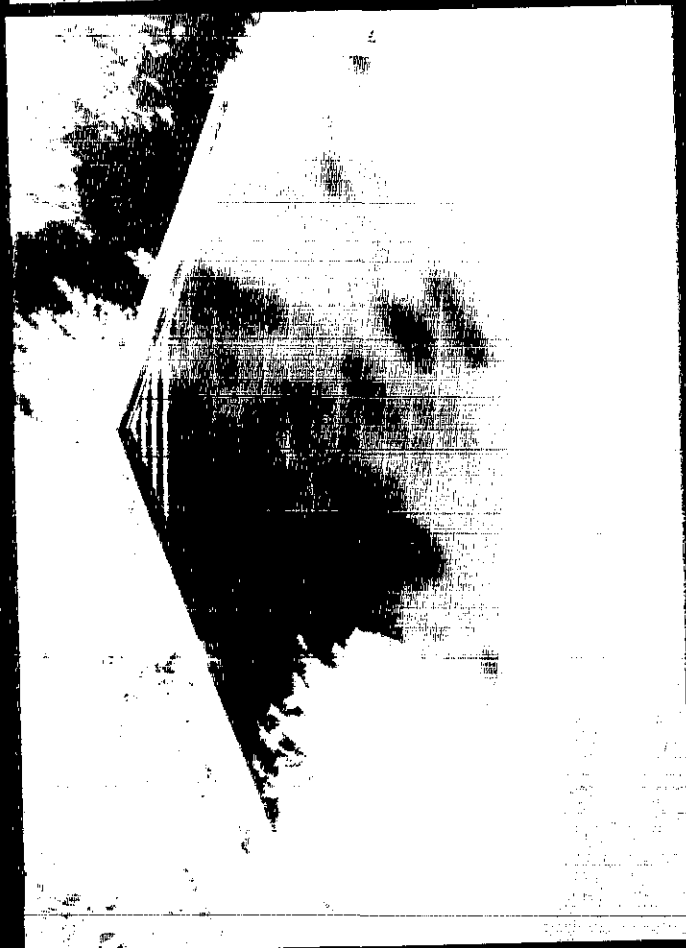
Not known

Zoning Office USE ONLY!

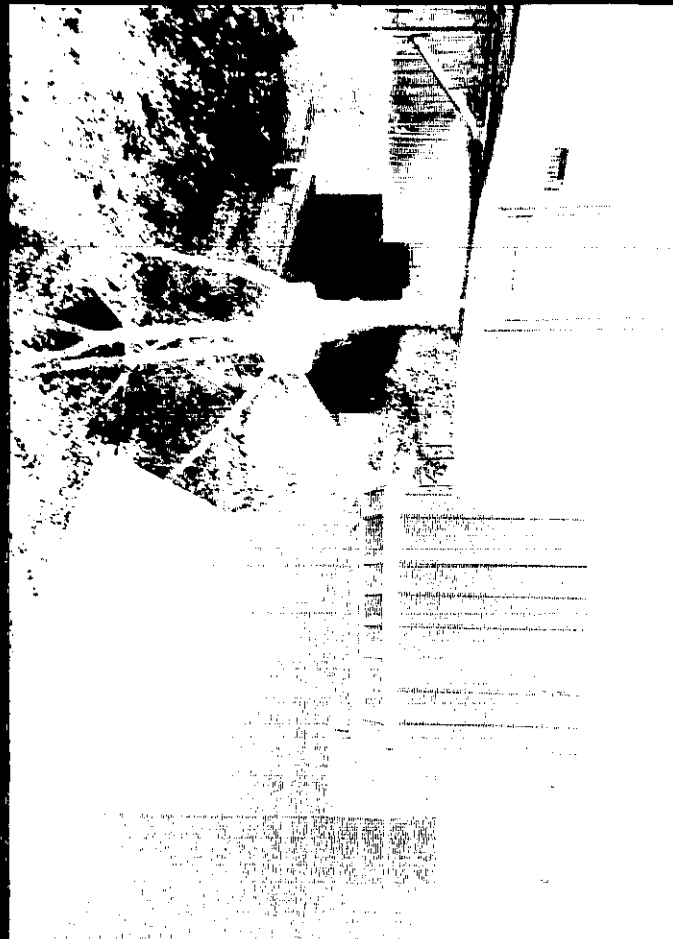
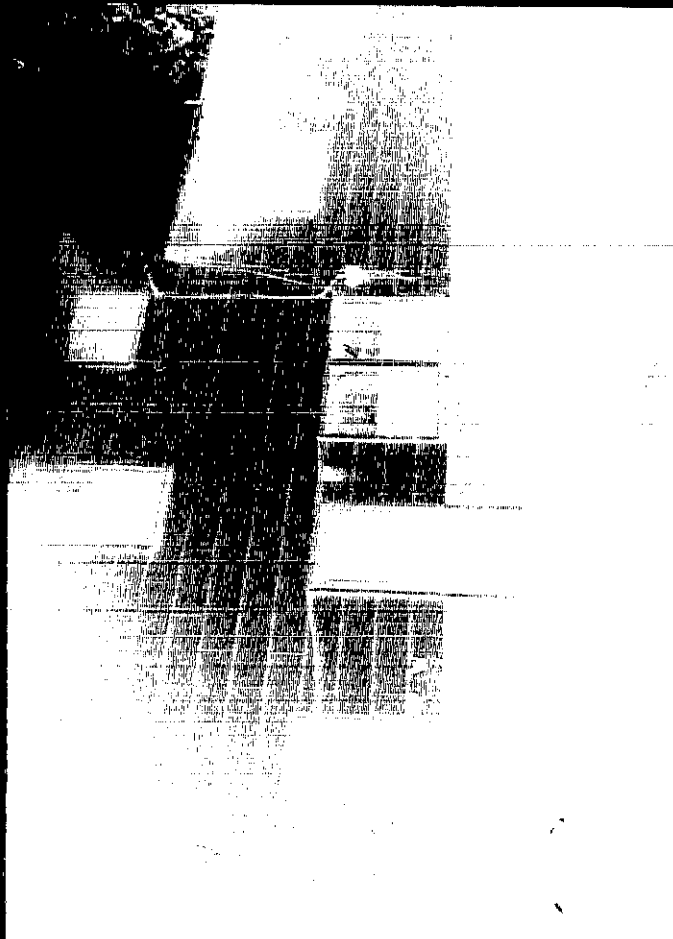
reviewed by: ITEM #: CASE#:

455-

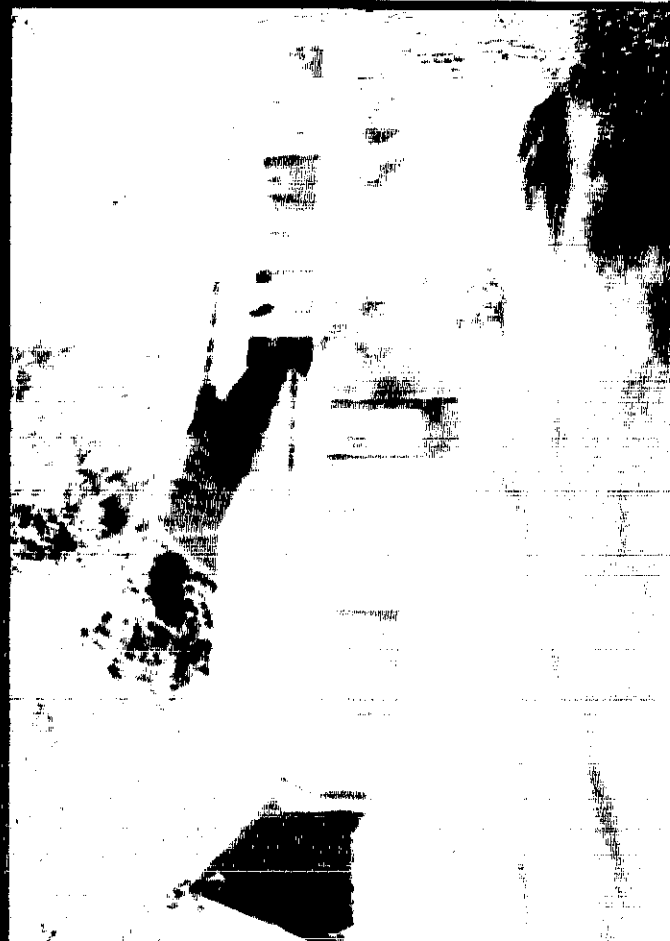
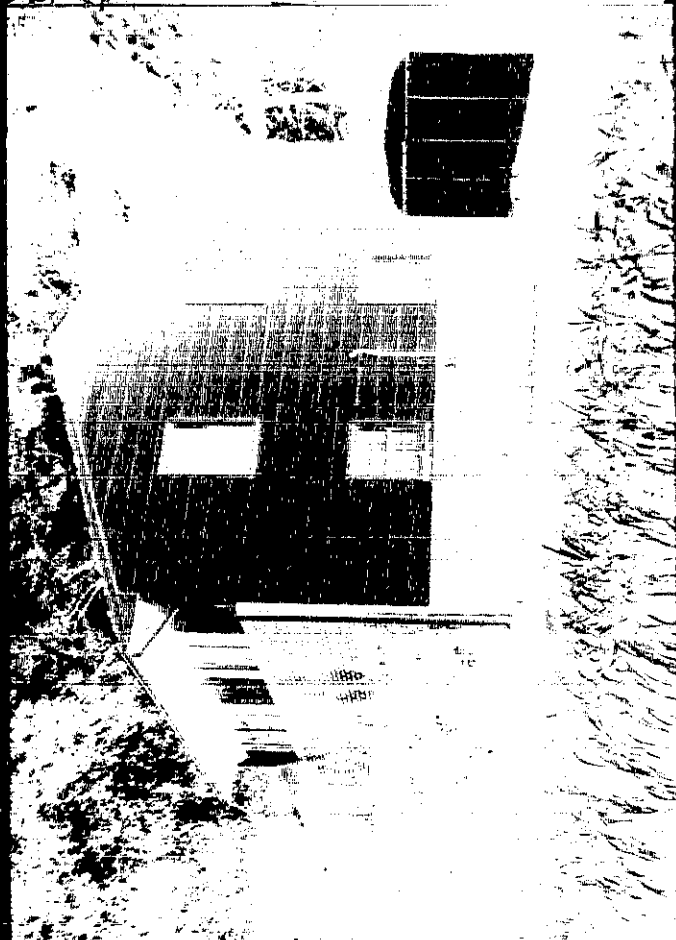
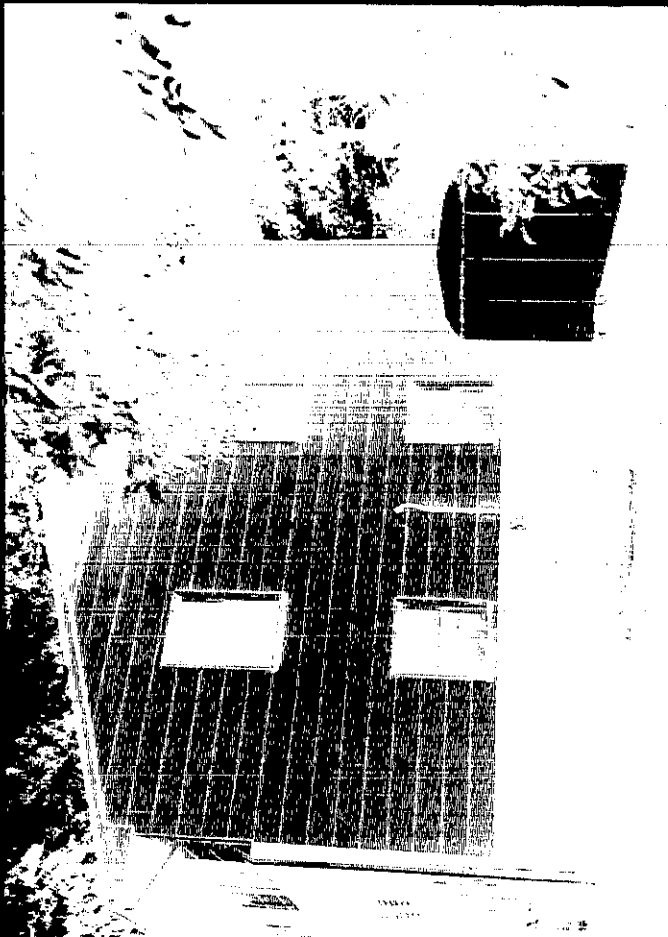
98-455-A



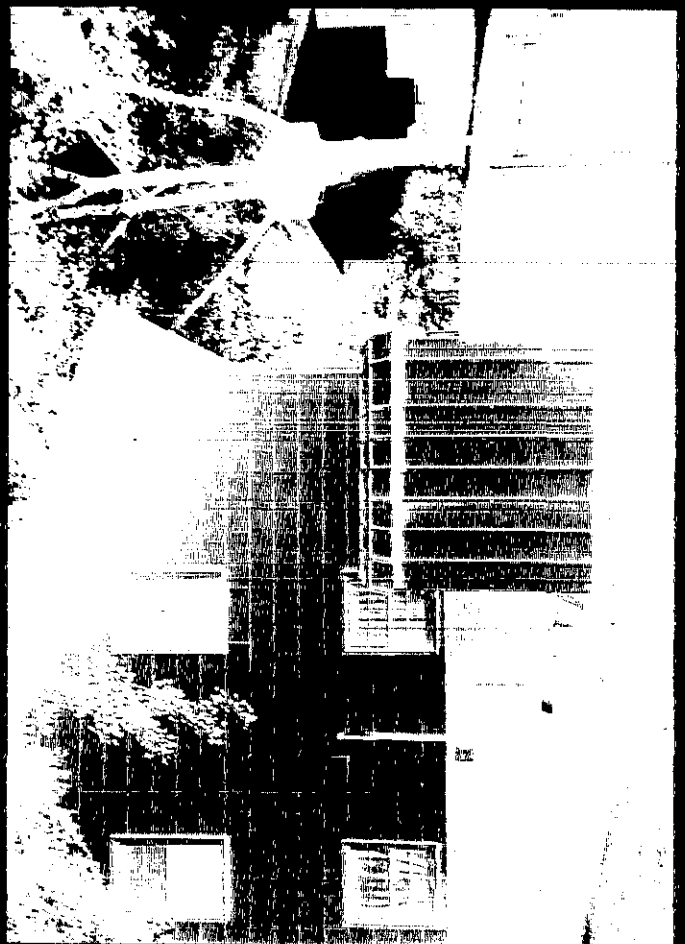
98-455-A



98-455-A



98-455-A



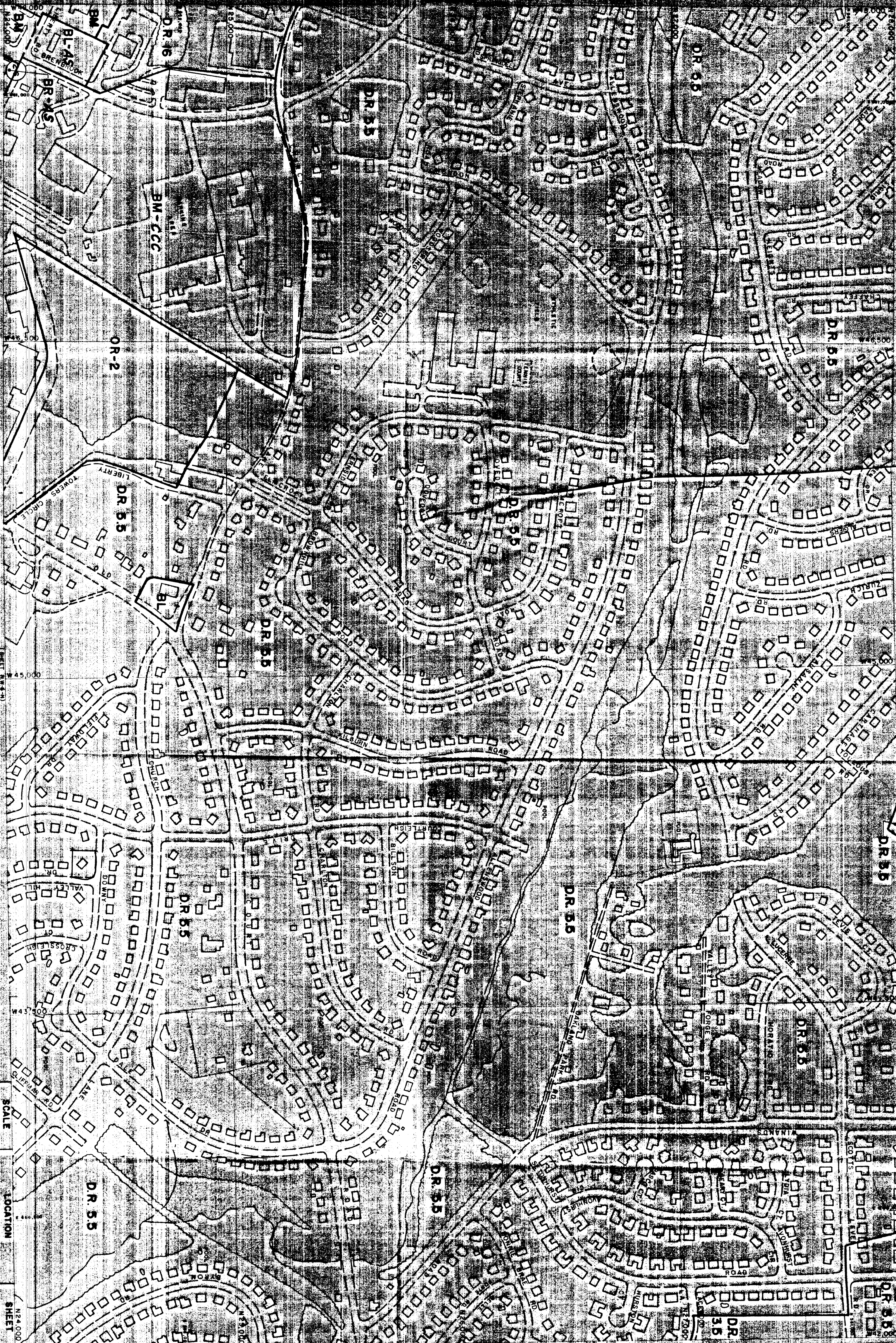
98-455-A



LOCATION 98-455-A OAKLAND PARK ROCKDALE AREA		SHET N.W. 7-H 455
SCALE 1" = 200' ±	DATE OF PHOTOGRAPHY JANUARY 1986	

BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
PHOTOGRAPHIC MAP

PREPARED BY AIR PHOTOGRAPHICS, INC.
MARTINSBURG, W. V. 25401



THIS MAP HAS BEEN REPRODUCED IN SELECTED AREAS
TO SHOW THE LOCATION OF THE ZONING DISTRICTS
AND THE LOCATION OF THE ZONING DISTRICTS
AND THE LOCATION OF THE ZONING DISTRICTS

ADOPTED BY
THE BALTIMORE COUNTY COUNCIL
OCTOBER 8, 1994
1994 COMPREHENSIVE ZONING MAP

Karin Kennedy
Chairman, County Council

BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
OFFICIAL ZONING MAP

98455-A

SCALE 1" = 200'	LOCATION DARTLAND PARK ROCKDALE AREA	SHEET N 24 000 2 7-11
DATE OF PHOTOGRAPHY JANUARY 1986		